

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CR-92

EZIAR HILLIARD,

Defendant.

SENTENCING MEMORANDUM

Eziar Hilliard called in a pizza order, and when the visibly-pregnant delivery woman arrived, he brandished a gun and robbed her. She was working, trying to make a little extra money before she had a baby. Hilliard took out a gun and robbed her. For that, he should serve a custodial sentence at the bottom of, but within, the applicable sentencing guidelines range.

On March 3, 2019, the Domino's at 4211 W. North Avenue in Milwaukee received a pizza order from Eziar Hilliard. Domino's delivery-woman N.T., who was eight-months pregnant, then attempted to deliver the pizza Hilliard ordered to 3825 W. Meinecke Avenue in Milwaukee. There was no answer at 3825, but N.T. heard Hilliard come out of 3823 and saw him cover the lower half of his face with a mask. Hilliard then pulled a silver and black handgun from his right front pocket and demanded money from N.T. N.T. was, of course, afraid; so she gave Hilliard the only money she had - *i.e.*, the

\$20 in one-dollar bills that Domino's gives its delivery drivers so they can make change.

The facts of this case are as simple and appalling as that.

Appalling though that sequence is, Eziar Hilliard deserves credit for quickly taking responsibility for his crime. Hilliard self-surrendered and gave a Mirandized confession to the robbery. He initially denied that he possessed or brandished a gun, but he has now taken responsibility for that as well. Hilliard appears to have experienced real remorse in this case. It is undoubtedly true that if he could have drawn things up ahead of time, he would not have called in the order and had Domino's send a delivery driver who was eight-months pregnant. It also seems clear that Hilliard was given very bad advice - that robbing a delivery person was an easy way to make serious money - and now knows he should not have taken that advice.

Hilliard is a very young man, and he has little criminal history. As for his upbringing, it certainly did not put him at an advantage. It is notable, though, that his brother was raised in the same circumstances and now works full-time while attending professional school. Hilliard, fundamentally, had options. Armed robbing N.T. was not the only path for him. But he made his decision and thereby showed himself to be, at least on that day, truly dangerous. One piece of great fortune in Hilliard's life is that his victim was physically fine, despite his choice. This is, hopefully, not the last chapter for him.

For the reasons stated above, the United States submits that a custodial sentence at the bottom of the sentencing guidelines range to be followed by a five-year term of supervised release is sufficient, but not greater than necessary, to achieve the purposes of sentencing.

Respectfully submitted at Milwaukee, Wisconsin, this 2nd day of October, 2019.

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